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Senate

The Senate met at 10:30 a.m. and was called to order by the Honorable LINDSEY O. GRAHAM, a Senator from the State of South Carolina.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord, You are the source of every good and perfect gift. You are our light and salvation. We will not fear. Thank You for Your goodness and forgiveness. You abound in steadfast love to all who call on You. Lord, sustain us as we put our trust completely in You. Keep us from those who stir up strife and enable us to live in peace. Lord, You know the things that overpower us and You have heard our cries. Thank You for Your deliverance, for keeping our feet from falling.

Bless our Senators and their staffs. May they walk before You in the light of life. Be gracious to them and gladden their spirits with Your eternal presence. Give them strength for this day's journey and surround them with Your favor. We pray this in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LINDSEY O. GRAHAM led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 8, 2004.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LINDSEY O. GRAHAM, a Senator from the State of South Carolina, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. GRAHAM of South Carolina thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we will have 1 hour of morning business, with the first half of that time under the control of the Democratic side of the aisle and the second half under the control of the majority.

ORDER OF PROCEDURE

I now ask unanimous consent that the Senate begin the Homeland Security appropriations bill as under the order following that 1-hour period.

The ACTING PRESIDENT pro tempore. Is there objection?

The Senator from Nevada.

Mr. REID. Mr. President, it is my understanding the distinguished majority leader is propounding to the Chair that each side would have a full 30 minutes after the prayer and the pledge has been added in; is that right?

Mr. FRIST. Mr. President, that is correct. I will have about a 5-minute statement. After my statement, the Democratic leader has a statement. Then we will have 1 full hour, 30 minutes for each side.

Mr. REID. Mr. President, I appreciate that. So I do not interrupt again, I ask unanimous consent that 20 minutes be

designated to the Senator from California, 10 minutes be designated—let's see. What we will do is have 19 minutes for the Senator from California, 8 minutes for Senator KENNEDY from Massachusetts, and 3 minutes for Senator SCHUMER from New York. I ask unanimous consent that be the case.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. REID. Would it be OK with Senator FEINSTEIN if we could get the short speeches out of the way first? Would that be OK?

Mrs. FEINSTEIN. Yes.

Mr. REID. OK. We would go with SCHUMER, KENNEDY, and FEINSTEIN. Thank you very much, Mr. President.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FRIST. Mr. President, we do expect amendments to be offered on the Homeland Security bill over the course of today's session, and we will have votes today. As a reminder, the Senate will be in recess from 12:30 to 2:15 for the weekly party luncheons to meet.

Finally, on behalf of the managers of the bill, it would be helpful if Senators would notify the managers if they intend to offer amendments to the Homeland Security appropriations measure. I believe we have most of those amendments already listed. But what we would like to do is reach an agreement to limit the amendments to allow us to finish the bill as quickly as reasonable and as possible and, therefore, Members should now notify their respective cloakrooms, if they have not already done so.

Again, we did a lot of groundwork yesterday in talking to our Members and in preparing for the Homeland Security appropriations bill. For that, I express my thanks and thanks on behalf of the leadership of the Democrats and the Republicans. As always, Senators will be notified when we come to that first vote.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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SACRIFICES OF OUR MILITARY MEN AND WOMEN

Mr. FRIST. Mr. President, I want to very briefly comment on an observation that when I got home last night a lot of the media networks were talking about; that is, yesterday the U.S. military deaths in Operation Iraqi Freedom surpassed 1,000. Each one of these deaths is a sacrifice for the freedom and liberty we enjoy each and every day, and it really has focused on the importance of what the war on terror is all about, as we see what is depicted in Russia and as we see what has happened in Afghanistan and Iraq and really throughout the world and throughout the Middle East.

I wish to make the point again that we all think—we all know it, but really it does need to be said; we think it every day, but it does need to be said—that these brave men and women in uniform sacrificed their lives for the cause of freedom—freedom in this country and throughout the world—and for the security and safety of their fellow Americans. We owe them a deep debt of gratitude for their courage and for their valor and their strength and their commitment to our country and to these ideals of which we every day take advantage.

As President Bush has reiterated time and time again, and as he mentioned in an early morning meeting we had—a bicameral, bipartisan meeting that finished 15, 20 minutes ago—our cause is to fight the enemy on his soil before he can strike us here at home.

Because of our bold action, and, yes, the sacrifices this country has made, terrorists will no longer find safe harbor in Iraq. Because of our determination, Saddam Hussein now sits in a prison where his only plotting and planning is to defend himself before a war crimes tribunal. Because of our resolve, Saddam's two sadistic sons, Uday and Qusay, are dead, and many of his top lieutenants are dead or in custody. Because of America and her many allies, no longer will the civilized world be threatened by Saddam and his murderous ambitions.

From the very beginning, since President Bush launched Operation Iraqi Freedom roughly a year and a half ago, our Armed Forces have performed valiantly—from that first dramatic 3-week campaign that led to the fall of Baghdad, to the fighting that goes on right now in specific regions where the insurgents are attempting to thwart Iraq's path to self-government.

The enemies of freedom will not prevail. The President, our Commander in Chief, has made it clear they will not prevail. This body has made it clear, our U.S. Government has made it clear, the enemy will not prevail. The enemies of freedom are going to fall. The people of Iraq want democracy. Polls show over and over again that the majority of Iraqis are optimistic about their future. Now they are finally free to realize their dreams.

Our hearts do go out to the families who have lost loved ones in battle, as

well as to the thousands of men and women who have been injured. The valor and courage of our young women and men in the armed services are a shining example to all of the world, and we owe them and their families our deepest respect. They now belong to America's pantheon of heroes who have given their lives for the cause of liberty.

Mr. President, I yield the floor, and we will now have an hour of morning business, with 30 minutes to each side.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for statements only of 60 minutes, with the first half of the time under the control of the Democratic leader or his designee and the second half of the time under the control of the majority leader or his designee.

The Senator from California.

Mrs. FEINSTEIN. I believe I have 18 minutes of that time.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from California has 19 minutes.

Mrs. FEINSTEIN. I thank the Chair.

ASSAULT WEAPONS BAN TO EXPIRE

Mrs. FEINSTEIN. Mr. President, some of us have come to the Chamber today: Senator SCHUMER, who handled the assault weapons legislation 10 years ago in the House of Representatives as a member of the Judiciary Committee; Senator KENNEDY, who has been steadfast in support of this legislation for literally decades; and myself, as the Senate author of the bill. Ten years ago, the Senate, the House of Representatives, and the President of the United States stood up for the safety of the American people and against the National Rifle Association, and we passed one of the most important public safety measures this country has seen, the Federal ban on assault weapons.

That legislation was designed to dry up the supply of assault weapons over time. That legislation was designed so that no legitimate gun owner would lose their gun, nor have any.

The assault weapons ban, although not perfect, represented the best we could do to stem the growth and spread of these weapons throughout our cities and our States. That legislation is going to expire in 5 days.

A couple of months ago the Senate took a vote. We know we have 52 votes for its reauthorization for another 10-

year period. Senator WARNER of Virginia joined me in sponsoring that legislation on the floor of the Senate. We also know that the legislation has been effective because gun traces to crimes committed with assault weapons have declined by two-thirds in these past 10 years.

The American people have supported the ban and their support has never waived. Today almost three-fourths of the American public supports the ban, as do more than two-thirds of gun owners.

Law enforcement supported the ban in 1994, and their support has never waived either. Every major law enforcement organization in the country supports renewing this ban, and countless individual chiefs of police, sheriffs, and line officers have put themselves on the line to express their support, too. In fact, many of these same officers are in town today to let Congress know how important the assault weapons ban is to the safety of those who face these guns in the line of duty day in and day out.

This chart illustrates the percentage of banned assault weapons used in crimes, down by nearly two-thirds since passage of the 1994 act.

The NRA will say: The bill is cosmetic. It hasn't done anything. It has been ineffective.

Then why do they make this legislation and its demise their No. 1 priority? This chart shows that they are wrong. In a moment, I will cite testimony from a former BATF analyst that says this legislation has, in fact, been effective.

Presidents Clinton, Carter, Ford, and Reagan, and even Bush, have all expressed support for renewing the ban. President Bush stated his firm support in his 2000 campaign. He has never publicly wavered from that stance. But 5 days from today, none of this support will matter. The assault weapons ban will be history, one more victim of the powerful, selfish NRA and its brutal lobbying tactics.

Because the President has steadfastly refused to put his money where his mouth is and help us renew the ban, it is going to expire without so much as even a vote in the House of Representatives. We have asked the President: Please use your leadership to convince the Speaker of the House of Representatives to bring this bill to the floor. Please use your leadership to twist some arms. If you support this, if you know the American people support it, if you believe it makes for a safer America, please help us.

We have cried out in vain. There has been no response from the White House. Instead, the President quietly awaits September 13 and hopes that after he lets the ban expire, he can once again receive the endorsement of the NRA, because the NRA is not going to make their endorsement until the ban expires.

This is truly a dark day in the Senate's history, as we let this ban, which